

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. 04CR10016-NG
v.)	VIOLATIONS:
WALDIR FRANCISCO DEOLIVEIRA)	18 U.S.C. § 1341
a/k/a ENZO DELMONICO)	Mail Fraud
a/k/a LUIS CARLOS)	18 U.S.C. § 912
a/k/a LOUIS ALMEDA)	False Personation of a
a/k/a MAJOR ALMEDA)	United States Officer or
a/k/a EPITACHIO PESSOA)	Employee
a/k/a WALDIR CARLOS)	
)	

INDICTMENT

COUNT ONE: (18 U.S.C. § 1341 - Mail Fraud)

The Grand Jury charges that:

1. During the time period from December 2002 through December 2003, in the District of Massachusetts

WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS

defendant herein, engaged in a scheme and artifice to defraud and obtain money or property by means of false pretenses in that he claimed that he was a lawyer or a paralegal, sometimes citing as his place of employment the Offices of Delmonico and Johnson.

Defendant claimed that in that capacity he could assist individuals in court proceedings or legal and financial

negotiations in return for payment. In fact, the Offices of Delmonico and Johnson was a fictitious entity and not a law firm, and the defendant was neither a lawyer nor a paralegal. Defendant had neither the capacity nor the intention to provide the promised services, nor did he make any effort to do so. As a result of this scheme and artifice, defendant obtained at least \$16,000 from at least two victims, Mary Jean Paolo and Carlos Monteiro.

2. On or about the January 8, 2003, at Boston in the District of Massachusetts

WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS

defendant herein, having devised the above-described scheme and artifice to defraud and obtain money or property by means of false pretenses, for the purpose of executing and in order to effect the scheme and artifice to defraud and obtain money or property, did knowingly cause to be sent, delivered, and moved by the United States Postal Service a letter to Mary Jean Paolo.

All in violation of Title 18, United States Code, Section 1341.

COUNT TWO: (18 U.S.C. § 912 - False Personation of a United States Officer or Employee)

The Grand Jury charges that:

On or about February 1, 2003, at Boston, in the District of Massachusetts,

WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS

defendant herein, did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is an employee of the Immigration and Naturalization Service, and in such assumed and pretended character with intent to defraud did falsely demand and obtain a thing of value, the sum of six thousand dollars (\$6,000.00) from Xin Gou in return for promising to obtain immigration, naturalization and legal work documents for Xin Gou, or a person known to him.

All in violation of Title 18, United States Code, Section 912.

COUNT THREE: (18 U.S.C. § 912 - False Personation of a United States Officer or Employee)

The Grand Jury charges that:

On or about February 1, 2003, at Boston, in the District of Massachusetts,

WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS

defendant herein, did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is an employee of the Immigration and Naturalization Service, and in such assumed and pretended character with intent to defraud did falsely demand and obtain a thing of value, the sum of two thousand dollars (\$2,000.00) from Xiang Li in return for promising to obtain immigration, naturalization and legal work documents for Xiang Li, or a person known to her.

All in violation of Title 18, United States Code, Section 912.

COUNT FOUR: (18 U.S.C. § 912 - False Personation of a United States Officer or Employee)

The Grand Jury charges that:

On or about August 5, 2003, at Boston, in the District of Massachusetts,

WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS

defendant herein, did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is an employee of the Immigration and Naturalization Service, and in such assumed and pretended character with intent to defraud did falsely demand and obtain a thing of value, the sum of two thousand dollars (\$2,000.00) from Juan Marcellana in return for promising to obtain immigration, naturalization and legal work documents for Juan Marcellana, or a person known to him.

All in violation of Title 18, United States Code, Section 912.

COUNT FIVE: (18 U.S.C. § 912 - False Personation of a United States Officer or Employee)

The Grand Jury charges that:

On or about September 16, 2003, at Boston, in the District of Massachusetts,

**WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS**

defendant herein, did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is an employee of the Immigration and Naturalization Service, and in such assumed and pretended character with intent to defraud did falsely demand and obtain a thing of value, the sum of three thousand dollars (\$3,000.00) from Carmen Candiales Tercer in return for promising to obtain immigration, naturalization and legal work documents for Carmen Candiales Tercer or a person known to her.

All in violation of Title 18, United States Code, Section 912.

COUNT SIX: (18 U.S.C. § 912 - False Personation of a United States Officer or Employee)

The Grand Jury charges that:

On or about November 10, 2003, at Boston, in the District of Massachusetts,

WALDIR FRANCISCO DEOLIVEIRA
a/k/a ENZO DELMONICO
a/k/a LUIS CARLOS
a/k/a LOUIS ALMEDA
a/k/a MAJOR ALMEDA
a/k/a EPITACHIO PESSOA
a/k/a WALDIR CARLOS

defendant herein, did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is an employee of the Immigration and Naturalization Service, and in such assumed and pretended character with intent to defraud did falsely demand and obtain a thing of value, the sum of five thousand dollars (\$5,000.00) from Henry Jean in return for promising to obtain immigration, naturalization and legal work documents for Henry Jean, or a person known to him.

All in violation of Title 18, United States Code, Section 912.

A TRUE BILL

Edward Murphy 1/21/04
FOREPERSON OF GRAND JURY

Seth P. Berman
Seth P. Berman
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS, Boston, January 21, 2004.

Returned into the District Court by the Grand Jurors and filed.

Gina Afffa
Deputy Clerk
1-21-04 at 11:57 AM

Criminal Case Cover SheetU.S. District Court - District of MassachusettsPlace of Offense: Category No. II Investigating Agency DHSCity BostonRelated Case Information:County SuffolkSuperseding Ind./ Inf. N/A Case No. N/A
Same Defendant N/A New Defendant N/A
Magistrate Judge Case Number N/A
Search Warrant Case Number N/A
R 20/R 40 from District of N/ADefendant Information:Defendant Name Waldir F. Deoliveira Juvenile Yes NoAlias Name Enzo Delmonico, Luis Carlos, Louis Almeda, Major Almeda Waldir Carlos, Epitacio PessoaAddress unknownBirth date: 1955 SS#: xxx-xx-0679 Sex: M Race: White Nationality: USA

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Seth P. Berman Bar Number if applicable 629332Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process In CustodyLocation Status:

Arrest Date: _____

 Already in Federal Custody as _____ in _____
 Already in State Custody _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony Six

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 7/21/04Signature of AUSA: Seth P. Berman

~~JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse~~

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Waldir Deoliveira**U.S.C. Citations**

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. § 1341</u>	<u>Mail Fraud</u>	<u>One</u>
Set 2 <u>18 U.S.C. § 912</u>	<u>Impersonating a U.S. Officer or Employee</u>	<u>Two Through Six</u>
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____
ADDITIONAL INFORMATION: _____		
_____ _____ _____		